

BUREAU OF ENVIRONMENT CONFERENCE REPORT

SUBJECT: Monthly Natural Resource Agency Coordination Meeting

DATE OF CONFERENCE: November 2, 2005

LOCATION OF CONFERENCE: John O. Morton Building

ATTENDED BY:

NHDOT

Charlie Hood
Michael Dugas
Kevin Nyhan
Christine Perron
Craig Drouin
Greg Placy
Ram Maddali
Charlie Blackmon
Tobey Reynolds
Bill Hauser
Bob Landry
Bill Cass
Jim Moore
Keith Cota

Federal Highway Administration

Bill O'Donnell
Edward Wolford
Harry Kinter

USFWS

William Neidermyer

NH Fish and Game Department

Bill Ingham
Mike Marchand

USACE

Paul Minkin
Rich Roach

ASNH

Sarah Barnum

EPA

Mark Kern

DES

Gino Infascelli
Lori Sommer
Becky Ohler

LCHIP

Darrell DeTour

OEP

Jennifer DeLong

Jordan Institute

Kate Hartnett

White Mtn. Nat For.

Leighlan Prout
Kenneth Allen
Bill Dauer

DRED, Bur of Trails

Bob Spoerl

Randolph Cons. Co.

Jim Hunt
Jim Meiklejohn

NH State Senators

Senator Morse
Senator Graham

Coastal Program

Chris Williams

Smart Asso.

Bill Grace

Normandeau

Marcia Bowen

FST

Pete Howe

VHB

Pete Walker

NOTES ON CONFERENCE:

Jefferson-Randolph, NHS-X-0341(018), 13602

Kevin Nyhan began by reviewing the public involvement thus far for this project, beginning with the US Route 2 Corridor Study through the Public Hearing. One key environmental issue that was consistent during the development of this project was addressing animal/vehicle collisions as part of design. At the Public Hearing the Randolph Conservation Commission requested construction of an animal overpass at Bowman Divide. The Department feels that more information, study, is needed prior to adequately locating any structure along US Route 2. As such, the Department is proposing to participate in a study with NH Audubon Society (ASNH) by contributing \$25,000.00. Dr. Sarah Barnum, Vice President of Conservation ,

ASNH, discussed her proposed research. She stated that her team will go further than the previous Louis Berger Group study by inventorying crossings, landscape features, destinations, etc. in the entire towns of Jefferson and Randolph along US Route 2, not just in the immediate project area. The project will provide information specific to the area, but will go further to seek findings that will standardize or make predictable crossings for other areas of the state based on landforms, watersheds and ridgelines. NHDOT will be able to use Dr. Barnum's research in informing future project needs for wildlife, both in Jefferson and Randolph, and throughout the state.

The Department will be seeking to issue the Report of the Commissioner following the Public Hearing early this winter. After which, final design and acquisitions can begin.

Newington-Dover, NHS-0271(037), 11238

B. Hauser discussed the potential for partnership of the Department with LCHIP to address mitigation issues. C. Waszczuk then gave a brief description and cost of the preferred alternative. The Dover park-and-ride project (to be constructed in 2006 off Exit 9), which is to be discussed in the DEIS as a transit commitment, is a separate project and will get a separate wetland permit. However, the mitigation for these wetland impacts will be incorporated into the Newington-Dover mitigation package. P. Walker presented the wetland impacts: estimated at ± 15.5 acres for this project (± 11 acres in Newington and ± 4 acres in Dover); 0.6 acres for the Newington interim project currently under construction; 0.4 acres for the Exit 9 park-and-ride, and; $1\frac{1}{4}$ acres for the NH 155 bridge spanning the B&M Railroad in Madbury. He handed out a draft of the proposed mitigation package, which incorporates mitigation for the ± 18 acres of wetland impacts associated with Newington-Dover and the three other projects. In Newington the proposed mitigation would consist of restoration of 3,000 to 5,000 linear feet of Railway Brook and its riparian areas, and preservation of the ± 16 acre former drive-in property and providing restoration of upland habitat for state-endangered bird species. Alternate mitigation would be the preservation of the Walker property adjacent to Trickey's Cove or preservation of riparian buffers along Knights Brook. In Dover preservation of ± 50 acres of lands in the Blackwater Brook area adjacent to existing conservation lands is proposed as mitigation, with preservation of properties along the Bellamy River as alternate mitigation.

General discussion ensued on the proposed package. Specific concerns/comments of the proposal follow:

- the possibility of hazardous materials in Railway Brook (L. Sommer) – could be an issue with DDT/DDE, but is manageable, contamination issues were addressed by the Air Force during base closure.
- extending restoration to Flagstone (M. Kern, L. Sommer) – more difficult, surrounding areas are developed, several owners versus just PDA ownership at Railway Brook, would be greater than needed according to DES mitigation ratios, and lower portion of Flagstone is in good shape. Could look into preservation.
- is really creation of new channel at Railway Brook (G. Infascelli) – agree, but is restoration of the original channel in area south of Arboretum Drive (identified in package as Alternative A)
- new thread of channel would be constrained by the Pease spur and would not match what was there (L. Sommer) – agree, but would create floodplain roughly equal to what was there.
- would there be prime wetlands impacts (L. Sommer) – impacts to wetlands would occur as would connect existing wetlands but they would be minimal, could construct in winter to minimize impacts.
- restoration of original channel east of Pease spur rather than along Railway Brook (P. Minkin) – construction of the expanded Woodbury interchange impacts a large portion of that area, it would not leave room and the Pease spur can not be impacted/relocated.
- should do both Alternatives A & B (C. Williams) – feel that there may be enough credit with just one alternative, will continue coordination with resource agencies to finalize mitigation plan.
- need formal long-term protection of buffers around the restoration area (L. Sommer) – will be discussing preservation options with the PDA.
- Dover mitigation area under development pressure, should work on purchasing area now (L. Sommer) – need concurrence on package, appraisals, and FHWA approvals prior to purchasing.

- Stewardship issues need to be worked out for Blackwater Brook preservation site in Dover (L. Sommer) – DOT is discussing options with the City of Dover.
- M. Kern and B. Ingham stated their support of the Blackwater Brook preservation in Dover.
- B. Neidermyer agreed with Railway Brook, stated could also look into management of eels.
- R. Roach stated that Corps guidance on mitigation is in flux. He is concerned about the size of the monetary investment for restoration of Railway Brook and should be looking at the watershed, lots of new pavement is being added, and conserve areas to prevent development. – P. Walker stated that the restoration is less expensive than preservation due to the high costs of land in this area.
- L. Sommer stated that the better option may be to pursue the Watson property. There is some flexibility with the DES mitigation ratios, may not need to adhere to the strict amount for this project if Watson property is valuable to preserve.

A general discussion involving Senators Morse and Graham on the mitigation process and how LCHIP may be used by the Department to work out priority sites and evaluate potential preservation areas. Land banking and advance acquisitions were also discussed. R. Roach stated that Corps could go along with advanced acquisition. B. O'Donnell expressed the FHWA's concerns if a project get derailed, is better to go through hearing process before commit funds for acquisition and that mitigation has to be based on the impacts not based on monetary issues. M. Kern agreed that mitigation should be a response to the impacts.

Bath-Lisbon, MGS-STP-NHS-F-X-T-0331(081), 10425

No Minutes Prepared. For information on this project, contact either Bob Landry at 271-2171 or Kevin Nyhan at 271-3226.

Dover-Rochester-Somersworth, 11429

K. Cota briefly described the project and the anticipated schedule for the completion of the Draft EIS and Public Hearing. The mitigation proposal is being revisited to make sure that no major changes to the sites' status have occurred. He reviewed the mitigation proposal, which consists of corridor protection along Clark Brook and Blackwater Brook, creation of a vernal pool, and creation/preservation at the Stackpole site. A total of over 100 acres would be preserved at these sites. In addition Clark Brook and exiting vernal pools will be bridged. The Department held a Public Informational meeting on May 19th. Alternative B1b was presented as the Department's preferred, however FHWA has not identified any preferred and all three alternatives will be equally presented at the Public Hearing. A pre-Draft EIS document has been provided to members of the Advisory Task Force. A meeting with the Advisory Task Force will be held on November 10th. K. Cota described the impacts of each Alternatives: the B1b Alternative impacts 8 acres of wetland and 33 acres of wildlife habitat; the D1 Alternative impacts 10 acres of wetland and 20 acres of wildlife habitat; and, the U3 Alternative impacts 5 acres of wetlands and 18 acres of wildlife habitat. The Draft EIS should be ready to be published early in 2006.

Albany, X-A000(190), 13632B

Kevin Nyhan presented this project, which consists of widening and safety improvements along a 1.2-mile section of NH Route 112 (Kancamagus Highway), beginning at the easterly limit of the previous Albany, 13632A project, proceeding east to the Lower Falls rock cut project. Proposed improvements consist of the widening the roadway approximately 3-feet on each side for an 11-5 typical section, drainage improvements and guardrail improvements. A retaining wall will be constructed on the south side of the roadway along the Swift River to limit impacts to this waterbody. There will be minor ledge blasting for the construction of catch basins. According to NHNHBB, there are nesting Peregrine Falcons to the north of the roadway, approximately 0.25 mile away. A state-threatened plant occurs in association with a high-energy riverbank

forest community along this entire stretch of the Kancamagus Highway. Wetland impacts will be incurred for the construction of this project. They total 9,000 sf permanent impacts to wetlands; 27,000 sf permanent impacts to bank; and 4,150 sf of temporary impact. Per a conversation with Gino Infascelli, pursuant to Part Env-Wt 302.03(c)(2) the impacts to bank are not mitigatable since the bank consists of the roadway embankment. The remainder of the permanent impacts total approximately 9,000 sf. As such, this project does not meet the minimum mitigation requirements and no mitigation was requested.

G. Infascelli stated that the TOB may be mis-delineated and requested an additional wall along one stretch of river. K. Nyhan responded that the Department wants to limit the amount of costly wall construction and will revisit the area and coordinate at a later date with Gino. L. Sommer stated that since the project would have a high potential to impact the threatened plant (Pickering's Reed Bent Grass), the project would be a Major. Bill Dauer inquired about salt management on this section of roadway. K. Nyhan responded that once the roadway has been improved, less salt will be required during winter maintenance since the ruts will be eliminated and drainage will be upgraded. Furthermore, there will be ditches recreated along the roadway to collect water prior to it entering the Swift River. Rich Roach stated that once the DES Wetlands Bureau is satisfied with the project, he the project would qualify for the State Programmatic General Permit (SPGP).